

Senate Bill No. 1250

CHAPTER 601

An act to amend Section 10770 of, and to repeal Section 10707 of, the Revenue and Taxation Code, to amend Section 27565 of the Streets and Highways Code, and to amend Section 16000 of, and to repeal Section 677 of, the Vehicle Code, relating to vehicles.

[Approved by Governor September 18, 1998. Filed
with Secretary of State September 21, 1998.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1250, Kopp. Vehicles.

(1) Under existing law, there is a year-round registration system for vehicles which commenced in 1976. Under these provisions, existing law defines "1976 registration year."

This bill would delete this obsolete definition and make related and other technical, nonsubstantive changes.

(2) Existing law requires the Department of Transportation, in cooperation with the Golden Gate Bridge, Highway and Transportation District and all known entities planning to implement a toll facility in this state, to develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with specified objectives.

This bill, in addition, would require this automated vehicle identification to be capable of identifying various types of vehicles, including, but not limited to, commercial vehicles.

(3) Existing law requires the driver of every motor vehicle who is in an accident originating from the operation of a motor vehicle on any street or highway or any reportable off-highway accident, as specified, that has resulted in damage to the property of any one person in excess of \$500, or in bodily injury, or in the death of any person, to report the accident, within 10 days after the accident, to the Department of Motor Vehicles, as specified. Existing law specifies that any person who violates these provisions is guilty of an infraction. Existing law also specifies that a report is not required pursuant to these provisions if the motor vehicle involved in the accident was owned or leased by, or under the direction of, the United States, this state, another state, or a local agency.

This bill, as an exception to this latter provision, would require the driver of a motor vehicle that is owned or operated by a publicly owned or operated transit system, or that is operated under contract with a publicly owned or operated transit system, and used to provide regularly scheduled transportation to the general public or for other official business of the system, to report within 10 days of the

occurrence of the accident to the transit system any accident as specified above. In addition, the bill would require the transit system to maintain records of any report filed by one of its drivers pursuant to these provisions. Thus, the bill would increase the duties and responsibilities of local entities, thereby imposing a state-mandated local program.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

The people of the State of California do enact as follows:

SECTION 1. Section 10707 of the Revenue and Taxation Code is repealed.

SEC. 2. Section 10770 of the Revenue and Taxation Code is amended to read:

10770. (a) If the fee for an original registration is not paid within 20 days after it becomes delinquent, a penalty equal to 20 percent of the fee shall be added and collected with the fee.

(b) A penalty of 20 percent of the license fee shall be added on any application for original or renewal of year-round or annual registration made later than midnight of the date of expiration or on or after the date penalties become due. This penalty shall be computed after the vehicle license fee has been combined with the registration and weight fees as provided in Sections 9250 and 9400 of the Vehicle Code.

(c) Notwithstanding subdivision (a), any penalty that became due prior to January 1, 1978, shall be computed at the rate of penalty which was then in effect.

SEC. 2.5. Section 27565 of the Streets and Highways Code is amended to read:

27565. (a) The department, in cooperation with the district and all known entities planning to implement a toll facility in this state, shall develop and adopt functional specifications and standards for an automatic vehicle identification system, in compliance with all of the following objectives:

(1) In order to be detected, the driver shall not be required to reduce speed below the applicable speed for the type of facility being used.



(2) The vehicle owner shall not be required to purchase or install more than one device to use on all toll facilities, but may be required to have a separate account or financial arrangement for the use of these facilities.

(3) The facility operators shall have the ability to select from different manufacturers and vendors. The specifications and standards shall encourage multiple bidders, and shall not have the effect of limiting the facility operators to choosing a system that is able to be supplied by only one manufacturer or vendor.

(b) Except as provided in subdivision (c), any automatic vehicle identification system purchased or installed after January 1, 1991, shall comply with the specifications and standards adopted pursuant to subdivision (a).

(c) Subdivision (b) does not apply to an interim automatic vehicle identification system for which a contract is entered into between an entity planning to implement a toll facility and the supplier of the interim system prior to January 1, 1994, if both of the following requirements are met:

(1) The department has made a written determination that the installation and operation of the interim system will expedite the completion of the toll facility and its opening to public use.

(2) The entity planning to implement the toll facility has entered into an agreement with the department to install, within five years after any portion of the toll facility is opened for public use, an automatic vehicle identification system meeting the specifications and standards adopted pursuant to subdivision (a).

(d) The automated vehicle identification system developed by the department pursuant to subdivision (a) shall be capable of identifying various types of vehicles, including, but not limited to, commercial vehicles.

SEC. 3. Section 677 of the Vehicle Code is repealed.

SEC. 4. Section 16000 of the Vehicle Code is amended to read:

16000. (a) The driver of every motor vehicle who is in any manner involved in an accident originating from the operation of a motor vehicle on any street or highway or any reportable off-highway accident defined in Section 16000.1 that has resulted in damage to the property of any one person in excess of five hundred dollars (\$500) or in bodily injury or in the death of any person shall, within 10 days after the accident, report the accident, either personally or through an insurance agent, broker, or legal representative, on a form approved by the department to the office of the department at Sacramento, subject to the provisions of this chapter. The driver shall identify on the form, by name and current residence address, if available, any person involved in the accident complaining of bodily injury.

(b) (1) Except as provided in paragraph (2), a report is not required pursuant to subdivision (a) if the motor vehicle involved in

the accident was owned or leased by, or under the direction of, the United States, this state, another state, or a local agency.

(2) The driver of a vehicle that is owned or operated by a publicly owned or operated transit system, or that is operated under contract with a publicly owned or operated transit system, and used to provide regularly scheduled transportation to the general public or for other official business of the system, shall, within 10 days of the occurrence of the accident, report to the transit system any accident of a type otherwise required to be reported pursuant to subdivision (a). The transit system shall maintain records of any report filed pursuant to this paragraph.

SEC. 5. Notwithstanding Section 17610 of the Government Code, if the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code. If the statewide cost of the claim for reimbursement does not exceed one million dollars (\$1,000,000), reimbursement shall be made from the State Mandates Claims Fund.

Notwithstanding Section 17580 of the Government Code, unless otherwise specified, the provisions of this act shall become operative on the same date that the act takes effect pursuant to the California Constitution.

